IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 22232 of 2004

Between:

B. Vijay Reddy, s/o Late B. Raja Reddy,
R/o 222-10-17, Near Railway Station, Bolarum,

Secunderabad.

... PETITIONER

AND

1 The Defence Estate Officer, A.P. Circle,
Secunderabad - 03.
2 The Air Officer Commanding, Air Force Station,

Hakimpet, Secunderabad-14.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus declaring the action of the respondents in not disposing of the application dated 4-8-2004 made by the petitioner as illegal, arbitrary and contrary to the

recommendations made by the 2nd respondent to the 1st respondent dated 21-8-2004 and consequentially direct the 1st respondent to pass appropriate orders on the application made by the petitioner dated 4-8-2004.

Counsel for the Petitioner: MRS.SHANTHI NEELAM

Counsel for the Respondents: MR. A. RAJASHEKAR REDDY (SC FOR CG)

The Court, at the admission stage, made the following:

O R D E R:

Heard both the counsel.

2. The case of the petitioner is that he intends to purchase the land in Survey No.438 admeasuring Acs.4-24 guntas situated at Devar Yamzal, adjoining Hakimpet Air force Station, Hakimpet, Rangareddy District from its original owner, namely, Katta Bal Reddy. His further case is that as his enquiries reveal that the Air Force authorities have acquired the said land, in order to avoid future litigation, as a prudent man, he made a representation on 04.08.2004 to the 2nd respondent-Air Officer Commanding to know whether the said land belongs to Air Force or private parties and the said representation is now pending before the 1st respondent. Now, his grievance is that his representation is not being considered.

3. Both the counsel have agreed to dispose of the writ petition with a direction to the 1st respondent to consider the representation of the petitioner.

4. Having regard to the facts and circumstances of the case, the 1st respondent shall consider the representation said to have been made by the petitioner on 04.08.2004 and clarify the fact whether the said land belongs to

2nd respondent - Air Force Authority or private land, within a period of two weeks from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of at the stage of admission. No costs.

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N. V. RAMANA, J

02.12.2004

AVS/NSR

To:

1 The Defence Estate Officer, A.P. Circle,

Secunderabad- 03.

2 The Air Officer Commanding, Air Force Station,

Hakimpet, Secunderabad-14.

3 Two C.D. Copies.